

EX PARTE OR LATE FILED

February 7, 2019

Federal Communications
Commission

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

APR 1 2019

Office of the Secretary

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Re: *Ex Parte* disclosure pursuant to 47 CFR § 1.1206(b) in MB Docket Nos. 09-182, 07-294, 14-50, 17-105, 18-23; WC Docket Nos. 09-197, 11-42, 12-375

Dear Ms. Dortch:

On February 6, 2019 the following individuals met with Commissioner Starks and his staff, Daudeline Meme, Michael Scurato, Randy Clarke, and Andrew Manley. Attending the meeting were: Thu Nguyen, OCA— Asian Pacific American Advocates; Kristine Lucius and Corrine Yu of the Leadership Conference on Civil and Human Rights; Cheryl Leanza, United Church of Christ, OC Inc.; Harin Contractor, Joint Center for Political and Economic Studies; K.J. Bagchi, Asian Americans Advancing Justice | AAJC; Kate Ruane, American Civil Liberties Union; Francella Ochillo and Daiquiri Ryan, National Hispanic Media Coalition; Maurita Coley and David Honig, MMTC; Gavin Logan, National Urban League; James Winston, National Association of Black Owned Broadcasters; Joe Torres, on behalf of the Voices for Internet Freedom Coalition (co-lead by the Center for Media Justice, Free Press, Color of Change, the National Hispanic Media Coalition and 18 Million Rising); Evan Feeney, Color of Change; Sindy M. Benavides, League of United Latin American Citizens and Bill Davenport. The participants discussed generally the top priorities of the civil rights community: strong support for the Lifeline program, promotion of diversity in broadcasting, and the inhumane cost of communication with incarcerated people. Further, the group expressed the deepest concern with the Commission's failures with regard to post-disaster relief in Puerto Rico. Each of the participants' advocacy is described individually herein.

Ms. Nguyen explained that many Asian Americans and Pacific Islanders (APIs) lack the income or education to properly access broadband. Besides implementing Lifeline without any of the proposed FCC cuts and caps, OCA also hopes to work with the Commissioner and FCC on reaching and connecting APIs on the ground level.

Ms. Lucius and Ms. Yu shared with the Commissioner the attached documents, including the Leadership Conference's priorities for 2019. They both expressed their interest in a strong Lifeline program and full implementation of the Lifeline Modernization Order and in the use of data to study the impact of proposed media ownership rules on ownership by women and people of color.

Ms. Leanza recommended that the Commission begin collecting EEO employment data as required by law and as the Commission voted to do in 2004. She emphasized the Commission's failure to study media ownership diversity by every FCC since the initiation of the Biennial and Quadrennial Review proceedings. She further requested the Commission focus on ensuring low-

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income consumers can easily sign up for the Lifeline program and expressed concern that recent efforts by the FCC and USAC were impeding eligible consumers' access to the program. She highlighted the FCC's failure to follow up on Securus' practices of disclosing customers' geo-location data as promised.

Mr. Contractor made suggestions regarding USAC funds and data. Connectivity is key for the Black community, as currently the African American community faces low adoption and subscription to broadband and, more than others, uses mobile devices for resume and cover letters. Mr. Contractor started the data analytics team at USAC in 2016. The E-Rate take up rates for libraries is slow, particularly for geographic locations of little access or broadband take up. IMLS and DOL also provide grants to libraries regarding broadband and workforce. Libraries can be the center of workforce development in rural communities, particularly the Black Belt—the FCC can encourage data sharing between USAC, IMLS, and DOL to focus on grants to areas of need. Currently there is little to no discussion among the team and from each respective Chief Data Officer on data sharing and collaboration. Mr. Contractor also spoke about working with Congress, stakeholders, FCC, and USAC staff on revamping the entire USF program. Between 20 percent and 30 percent of E-rate USF dollars go to consultants. Whether its ideas like pushing E-Rate to include E-Tech for low-income communities or really thinking about how to use Lifeline to encourage competition, lower administrative costs, and provide greater connectivity, Mr. Contractor explained right now there is little to no discussion of how to approach USF if we had the ability to start over.

Mr. Bagchi emphasized the importance of in-language emergency alert information as well as disaster preparedness information. In particular, he questioned the existing FCC practice of translating materials according to the size of a population instead of the size of the population that experiences Limited English Proficiency (LEP). He suggested that the FCC partner with local community organizations to distribute disaster preparedness information and offered the assistance of AAJC to assist.

Ms. Ruane emphasized the importance of increasing access to communications networks and reducing phone call rates for incarcerated persons.

Ms. Ochillo and Ms. Ryan reiterated NHMC's request for the FCC to appoint an independent commission to both examine and document telecommunications failures in Puerto Rico. Considering the mass devastation and death toll caused by Hurricane Maria, NHMC implored the Commission to help rebuild resilient networks that can withstand natural disasters in the future in addition to ensuring that Puerto Ricans are given the same resources and oversight as their fellow Americans on the mainland. Finally, NHMC joined other advocates in requesting that the FCC reaffirm its commitment to strengthening the Lifeline program. It is imperative that the Commission brainstorm new, innovative ways to connect the disconnected.

Ms. Coley provided background on minority ownership of media, cable, and telecom, and encouraged the commissioner to support the removal of barriers to entry for small and diverse businesses to help bridge the digital divide. She voiced MMTC's opposition to the facilities-based-carriers-only requirement for Lifeline, noting that small and diverse businesses are ready to serve and have served the Lifeline program with distinction. Regarding open internet policy,